

CHAPTER 91

TRANSPORTATION

HOUSE BILL 19-1209

BY REPRESENTATIVE(S) Froelich and Valdez A., Arndt, Buentello, Galindo, Gray, McKean, Tipper;
also SENATOR(S) Bridges, Rankin, Tate, Winter, Woodward.

AN ACT**CONCERNING REPEALING AERONAUTICAL REPORTING REQUIREMENTS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **repeal** 24-46.6-103.

SECTION 2. In Colorado Revised Statutes, 24-46.5-103, **amend** (1)(b)(I) introductory portion as follows:

24-46.5-103. Intergovernmental agreements. (1) (b) (I) Any entity establishing a new business facility or operation and participating in ~~the provisions of this article~~ ARTICLE 46.5 shall give due consideration to the provision of intrastate air service to all areas of Colorado. ~~Any such entity shall file reports as required under section 24-46.6-103.~~ The state shall consider each of the following guidelines in determining whether to enter into an intergovernmental agreement:

SECTION 3. In Colorado Revised Statutes, 43-10-109, **amend** (1) and (3) as follows:

43-10-109. Aviation fund created. (1) There is hereby created in the state treasury a fund to be known as the aviation fund, referred to in this ~~article~~ ARTICLE 10 as the "fund", which ~~shall consist~~ CONSISTS of all revenues credited thereto pursuant to ~~sections 24-46.6-103 (1)(b) and 39-27-112 (2)(b), C.R.S.,~~ SECTION 39-27-112 (2)(b) and all revenues credited thereto in accordance with subsection (2) of this section within the total revenues prescribed by the general assembly pursuant to section 43-1-112.5. All interest derived from the deposit and investment of ~~moneys~~ MONEY in the fund ~~shall~~ MUST be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered ~~moneys~~ MONEY in the fund ~~shall~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

MUST remain therein and ~~shall~~ MUST not be credited or transferred to the general fund or any other fund, except as directed by the general assembly acting by bill and subject to ~~the provisions of~~ section 18 of article X of the Colorado constitution.

(3) The ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously appropriated to the division for the purposes authorized by law. In each fiscal year, the transportation commission shall budget and allocate an amount not to exceed five percent of the total amount of revenues credited to the fund pursuant to section 39-27-112 (2)(b) ~~C.R.S.~~, and subsection (2) of this section during the preceding fiscal year to be used to defray any administrative costs incurred by the division and the board in implementing and administering ~~the provisions of~~ this article 10. The board shall recommend to the commission an amount to be allocated by the commission for administrative costs. ~~Any monetary penalties collected pursuant to section 24-46.6-103 (1)(b), C.R.S., are continuously appropriated to the division to defray any administrative expenses incurred by the division and the board in enforcing the provisions of section 24-46.6-103 (1), C.R.S.~~ The general assembly shall appropriate from the fund an amount to the department of revenue for the reasonable expenses incurred in administering section 39-26-715 (1)(a)(I) and (2)(a) ~~C.R.S.~~, and as provided in section 39-27-112 (2)(b). ~~C.R.S.~~

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 10, 2019